

THEODORE J. BOUTROUS JR., SBN 132099
tboutrous@gibsondunn.com

RICHARD J. DOREN, SBN 124666
rdoren@gibsondunn.com

DANIEL G. SWANSON, SBN 116556
dswanson@gibsondunn.com

JAY P. SRINIVASAN, SBN 181471
jsrinivasan@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071-3197
Telephone: 213.229.7000
Facsimile: 213.229.7520

VERONICA S. LEWIS (Texas Bar No.
24000092; *pro hac vice*)
vlewis@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
2100 McKinney Avenue, Suite 1100
Dallas, TX 75201
Telephone: 214.698.3100
Facsimile: 214.571.2900

CYNTHIA E. RICHMAN (D.C. Bar No.
492089; *pro hac vice*)
crichman@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
Telephone: 202.955.8500
Facsimile: 202.467.0539

PAUL R. RIEHLE (SBN 115199)

paul.riehle@faegredrinker.com
FAEGRE DRINKER BIDDLE & REATH LLP
Four Embarcadero Center
San Francisco, CA 94111
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

CHRISTINE A. VARNEY (*pro hac vice*)
cvarney@cravath.com

KATHERINE B. FORREST (*pro hac vice*)
kforrest@cravath.com

GARY A. BORNSTEIN (*pro hac vice*)
gbornstein@cravath.com

YONATAN EVEN (*pro hac vice*)
yeven@cravath.com

M. BRENT BYARS (*pro hac vice*)
mbyars@cravath.com

CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

Attorneys for Epic Games, Inc.

Attorneys for Defendant Apple, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,

Plaintiff,

vs.

APPLE INC.,

Defendant.

No. 3:20-CV-05640-YGR

**JOINT SUBMISSION OF SCHEDULE 2
TO APPLE DEVELOPER PROGRAM
LICENSE AGREEMENT**

Date: August 24, 2020, 3:00 p.m.

Courtroom: 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

1 The Parties in the above-captioned matter jointly submit Schedule 2 to the Apple Developer
2 Program License Agreement between Epic Games, Inc. and Apple Inc., attached hereto.¹

3 Section 3.4 of Schedule 2 provides for Apple's commission with respect to the sales of
4 "Licensed Applications", which Section 1.1.(c) defines to include "any content, functionality,
5 extensions, stickers, or services offered in the software application."

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7 DATED: August 24, 2020

GIBSON, DUNN & CRUTCHER LLP

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9 By: /s/ Richard J. Doren
Richard J. Doren

10 *Attorneys for Defendant Apple Inc.*

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12 DATED: August 24, 2020

CRAVATH, SWAINE & MOORE LLP

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14 By: /s/ Katherine B. Forrest
Katherine B. Forrest

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16 *Attorneys for Epic Games, Inc.*

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28 ¹ Both parties submitted a true and correct copy of the Apple Developer Program License Agreement
between Epic Games, Inc. and Apple Inc. (Schiller Decl., Ex. B; Byars Decl. Ex. I.)

DECLARATION REGARDING CONCURRENCE

I, Katherine B. Forrest, am the ECF user whose identification and password are being used to file this JOINT SUBMISSION OF SCHEDULE 2 TO APPLE DEVELOPER PROGRAM LICENSE AGREEMENT. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all of the signatories listed above have concurred in this filing.

DATED: August 24, 2020

CRAVATH, SWAINE & MOORE LLP

/s/ Katherine B. Forrest

Katherine B. Forrest